

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO.11055 OTHERWISE KNOWN AS THE "PHILIPPINE IDENTIFICATION SYSTEM ACT"

Pursuant to R.A. No. 11055, entitled "An Act Establishing the Philippine Identification System", otherwise known as the "Philippine Identification System Act", the Philippine Statistics Authority (PSA) is mandated to carry out the provisions of the Act, and to issue, in coordination with the members of the PhilSys Policy and Coordination Council (PSPCC), rules in the implementation and enhancement of the PhilSys, hence, the following rules and regulations are hereby promulgated:

RULE I GENERAL PROVISIONS

SECTION 1. Title

These rules and regulations shall be known as the "Implementing Rules and Regulations of the Philippine Identification System Act", or the "IRR".

SECTION 2. Scope

This IRR shall apply to all persons in the creation, operation, and maintenance of the Philippine Identification System (PhilSys), the registration in PhilSys and in all transactions where the PhilSys Number (PSN), Philippine Identification Card (PhilID), or biometric information is required, presented, or used, whether legally or illegally, within or outside the Republic of the Philippines.

SECTION 3. Objectives

The objectives of this IRR are stipulated under Section 2 (Declaration of Policies) and Section 3 (Objectives) of the Philippine Identification System Act, to wit:

- a. to establish a single identification system for all citizens and resident aliens;
- b. to provide a valid proof of identity for all citizens and resident aliens as a means of simplifying public and private transactions;
- c. to eliminate the need to present other forms of identification when transacting with the government and the private sector, subject to the appropriate authentication measures based on biometric identification system;
- d. to be a social and economic platform through which all transactions including public and private services can be availed; and
- e. to promote seamless service delivery, enhancing administrative governance, reducing corruption, strengthening financial inclusion, and promoting ease of doing business.



SECTION 4. Definition of Terms

For purposes of this IRR, the following definition of terms are hereby adopted:

- a. **Authentication** refers to the process of verifying whether online or offline, the identity of an individual against the registry information in the PhilSys or PhilID.
 - (1) *Online authentication* refers to the process by which the identity of an individual is validated real-time against the PhilSys Registry by the requesting entity through secured connectivity; and
 - (2) *Offline authentication* refers to the process by which the identity of an individual is validated against the information contained in the PhilID by the requesting entity.
- b. **Biometric Exceptions** refer to instances whereby there is physical impossibility on the part of a citizen or resident alien to give a complete set of biometric information or if the complete set does not meet the minimum threshold standards, but is nevertheless registered in the PhilSys.
- c. **Biometric Information** refers to front-facing photograph, fingerprints, and iris scan as stated in Section 7.B of this IRR.
- d. **Cardholder** refers to a citizen or resident alien who has been registered under the PhilSys and who has been issued and thus, in possession of the Philippine Identification Card.
- e. **Citizen** refers to a Filipino citizen, as defined in the Constitution, including those with dual or multiple citizenships, in accordance with Republic Act No. 9225, otherwise known as the "Citizenship Retention and Re-acquisition Act of 2003".
- f. **Consent** refers to a freely given, specific, informed indication of will, whereby the registered person agrees to the processing of his personal information in transactions requiring his or her consent as stated in this IRR. Consent shall be evidenced by written, electronic, or recorded means. It may also be given on behalf of the registered person by an agent specifically authorized by the registered person to do so.
- g. **Mobile Registration** refers to transportable registration centers utilized by the PSA and other agencies assigned by it to cater to citizens and resident aliens.
- h. **Personal Information** refers to any information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual as defined in Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012". For purposes of this Act,

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personal information includes sensitive personal information, as defined under the Data Privacy Act of 2012.

- i. **Philippine Embassy or Philippine Foreign Service Post** refers to diplomatic mission or consular office of the Republic of the Philippines in a foreign country, including the economic and cultural office of the Philippines, or the like, in a foreign territory.
- j. **Record History** refers to an entry in the PhilSys consisting of the information regarding a registered person in connection with his or her entries in the system and his or her PhilID, as follows:
 - (1) Date of filing of the application for registration and the particulars thereof;
 - (2) Date of filing of every application for modification and the particulars thereof;
 - (3) Modification of entry made, the date such modification was made, and the document/s or other proof presented in support thereof;
 - (4) Reason/s for the omission of any entry;
 - (5) Dates of issuance, reissuance, and cancellation of the PhilID, and including the reasons therefor;
 - (6) Details of authentication requests processed by the PSA which shall be limited to:
 - i. the date the request was made and processed by PSA;
 - ii. the requesting entity; and
 - iii. the response provided by PhilSys.
 - (7) Disclosure, conveyance, dissemination, publication, and use of information by third parties; and
 - (8) Other relevant information as determined necessary and approved by the PSPCC regarding the registration, modification, and authentication of personal information of a citizen or resident alien under this Act.
- k. **Registered Information** refers to any personal information regarding a citizen or resident alien recorded in the PhilSys, including biometric information and information about a citizen or resident alien required under the Act to be recorded in the PhilSys.
- l. **Registered Person** refers to a person who has been registered in the PhilSys.
- m. **Registration** refers to the process of entering demographic and biometric information of citizens or resident aliens in the Philippines to the PhilSys.

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- n. **Registration Centers** refer to necessary facilities to capture both demographic and biometric information required for PhilSys as provided in Section 8.A of this IRR.
- o. **Resident Alien** refers to an individual who is not a citizen of the Philippines, but has the appropriate immigrant visa or established residence in the Philippines for an aggregate period of more than one hundred eighty (180) days and is in possession of Alien Certificate of Registration (ACR) I-Card.

RULE II THE PHILIPPINE IDENTIFICATION SYSTEM

SECTION 5. The Philippine Identification System (PhilSys)

The Philippine Identification System (PhilSys) is the government's central identification platform for all citizens and resident aliens of the Philippines. An individual's record in the PhilSys shall be considered as an official and sufficient proof of identity.

SECTION 6. Philippine Identification System Components

The PhilSys shall have the following key components:

- A. **PhilSys Number (PSN)** – The PSN is a randomly generated, unique, and permanent identification number that will be assigned to every citizen or resident alien upon birth or registration by the PSA, in accordance with the registration process provided in this IRR. All government agencies, including government-owned or controlled corporations (GOCCs) shall incorporate in their identification systems and databases the PSN, or its derivative, of covered individuals which shall be the standard number for the individual across all agencies of the government.

The PSN shall not be pre-determined or pre-assigned to any individual. Neither shall any individual be allowed to choose his or her PSN.

No person shall have more than one PSN. The PSN, in print, electronic, subject to authentication, shall be accepted as sufficient proof of identity.

- B. **PhilSys Registry** – The PhilSys Registry contains the PSN, the registered records, record history, and registered information of all registered persons in the PhilSys. Registered records shall pertain to electronic copies of completed application forms submitted during registration and succeeding updates.

The information in the PhilSys Registry shall be classified in a manner that allows safeguards for data privacy and security, access controls, and change management, as set in this IRR.



The PhilSys Registry shall be kept, owned, managed, and administered by the PSA separate and distinct from all other databases of the PSA and registration centers.

- C. PhilID – The PhilID is a nontransferable card that shall preferably be issued to all citizens or resident aliens registered in the PhilSys subject to the guidelines to be issued by the PSA.

- (1) *Features.* The PhilID shall be the physical medium issued to convey essential information about the person's identity containing on its face his or her PSN, full name, sex, date of birth, place of birth, blood type, address, marital status (if declared), and a front-facing photograph.

All information appearing in the PhilID should match with the registered information in the PhilSys. The PhilID shall have a QR Code, which contains at least the PSN and any two fingerprint information. The PhilID shall also include other security features as safeguards for data privacy and security, and prevention against the proliferation of fraudulent or falsified identification.

The production and security of the PhilID will be at par with technological advances and international standards.

- (2) *Purpose.* The PhilID shall serve as the official government-issued identification document of cardholders in dealing with all national government agencies, local government units (LGUs), government-owned or controlled corporations (GOCCs), government financial institutions (GFIs), State Universities and Colleges (SUCs), and all private sector entities.
- (3) *Fees.* The initial application and issuance as well as the renewal of the PhilID for citizens shall be free of charge. Renewal shall pertain to the replacement of the PhilID arising from recapturing or updating of biometric information.

Fees for the (a) initial application and issuance as well as renewal of a PhilID to resident aliens, and (b) issuance of a replacement PhilID to citizens and resident aliens due to loss, damage, or change of entries therein shall be subject to the schedule of fees to be issued by the PSA.

Fees however, shall not apply to citizens upon presentation of a Certificate of Indigency issued by the City/Municipal Social Welfare Office.



SECTION 7. PhilSys Registry Data

Information to be collected from the applicant and stored in the PhilSys shall be limited to the following:

A. Demographic Data

- (1) full name;
- (2) sex;
- (3) date of birth;
- (4) place of birth;
- (5) blood type;
- (6) address
 - 6.a. permanent address
 - 6.b. present address (optional);
- (7) Filipino or Resident Alien;
- (8) marital status (optional)
- (9) mobile number (optional); and,
- (10) e-mail address (optional).

Full name, sex, date of birth, and place of birth shall at all times be consistent with the supporting documents presented under Section 8.C hereof, or as declared and attested by the Introducer under Section 8.C.4.

B. Biometric Information

- (1) front-facing photograph;
- (2) full set of fingerprints; and
- (3) iris scan.

In case of visual or physical impairment that renders the capturing of the complete biometric information of the person applying for registration impossible, biometric exceptions shall be employed and allowed by the PSA.

The captured biometric information and the acquired biometric data should conform to relevant international standards as determined by the PSA.

SECTION 8. Registration

A. Registration Centers

Every citizen or resident alien shall register personally in any of the following registration centers that have the necessary facilities to capture the information required to be contained in the registry. These registration centers shall be made available one year after the effectivity of this Act:

1. PSA Regional and Provincial Offices;
2. Local Civil Registry Offices (LCROs);
3. Government Service Insurance System (GSIS) for its members and their dependents;
4. Social Security System (SSS) for its members and their dependents;
5. Philippine Health Insurance Corporation (PhilHealth);



6. Home Development Mutual Fund (HDMF);
7. Commission on Elections (COMELEC);
8. Philippine Postal Corporation (PHLPost); and
9. Other government agencies and GOCCs as may be assigned by the PSA.

The list of offices of the above-mentioned agencies, which will be designated as registration centers, shall be posted in the PSA website.

The above agencies shall each allot an area for the setting up of registration centers by the PSA. The PSA shall provide the necessary facilities, manpower, equipment, registration system, and resources to carry out the registration in the registration centers.

In the case of the Filipino citizens residing abroad, the registration shall be made in the nearest Philippine Embassy or Philippine Foreign Service post, or other registration centers that may be designated by the Department of Foreign Affairs in coordination with the PSA.

The PSA and the agencies shall enter into separate Memoranda of Agreement delineating their duties and responsibilities for the setting up and operation of the registration centers. Registration shall be under the direct supervision and control of the PSA, subject to the provisions of the Memoranda of Agreement.

The demographic and biometric information of Filipino citizens and resident aliens shall be collected upon registration. However, for children below five (5) years old, only the demographic information and front-facing photograph shall be collected, and their PSN shall be linked to that of their parent or guardian. For children aged five (5) to 14 years, including those who have been registered at age four (4) or below, their complete biometric information shall be initially captured at five (5) years of age and shall be recaptured once they reach 15 years of age.

Persons incapacitated to give consent under Article 1327 of the New Civil Code (minors, insane or demented persons and deaf-mutes who do not know how to write) shall be accompanied by their parent/s or legal guardian/s who must be of legal age during registration. In default or absence of any parent of legal age, the person exercising substitute parental authority as provided in Article 216 of the Family Code shall accompany the minor during registration.

B. Special Arrangements

The PSA shall issue guidelines on the special arrangements, for the registration of the following:

1. minors;
2. senior citizens;
3. persons with disability;
4. indigenous persons;
5. persons in institutional households;



6. persons in remote areas; and
7. foundlings.

The PSA shall coordinate with the appropriate agencies for the registration of those needing special arrangements.

The PSA shall also conduct mobile registration activities to cater to citizens and resident aliens as it may determine.

C. Documentary Requirements

1. Application Form. The applicant shall submit a duly accomplished application form to any designated registration center.

2. The application form shall be supported by the presentation of an original copy of any of the following primary documents:

- a. PSA-issued birth certificate and one (1) government-issued identification document with full name, photo and signature or thumbmark; or
- b. Philippine ePassport issued by the Department of Foreign Affairs; or
- c. Unified Multi-purpose Identification (UMID) Card issued by Government Service Insurance System or Social Security System; or
- d. other equivalent identification documents as may be determined in the guidelines issued by the PSA.

For resident aliens, his or her Alien Certificate of Registration (ACR) or ACR ID shall be presented.

In case a married woman presents an identification document which reflects her maiden name, she shall be required to present her PSA-issued marriage certificate should she opt to adopt the surname of her husband.

3. In the event that the applicant is unable to provide the documents under the immediately preceding item, any of the following documents shall be presented:

- a. PSA-issued birth certificate; or
- b. any government-issued identification document reflecting at least the full name, front-facing photograph, and signature or thumbmark; or
- c. identification documents issued by the private sector which comply with the requirements set by the PSA.

4. Notwithstanding the foregoing, appropriate guidelines and mechanisms shall be issued to ensure that the registration is not prohibitive and restrictive as to unduly defeat the purpose of the Act.

An applicant who does not possess any of the documents in above items 2 and 3 shall be endorsed by a qualified Introducer in accordance with the guidelines set by the PSA, taking into consideration the specific circumstances. As a minimum requirement, a qualified Introducer shall be of legal age and a PSN holder. The PSA shall maintain a record of all



qualified Introducers, each of whom shall be linked to all the registered persons that they have endorsed. Persons who have been registered through a qualified Introducer shall be tagged as such in the PhilSys.

D. Registration Process

The applicant shall register personally at any designated registration center by submitting a duly accomplished PhilSys Registration Form (Form No. 1) and presentation of any supporting documents as stated in Section 8.C of this IRR.

The PSA shall ensure that entries provided in the PhilSys Registration Form are consistent with the documentary requirements presented. In the event of discrepancies other than address, the data reflected on the presented documentary requirements shall prevail.

If there are no discrepancies, the biometric information (front-facing photograph, fingerprints, and iris scan) shall be captured except for applicants below five (5) years of age, in which case, their demographic information and front-facing photograph shall be sufficient.

If the biometric and demographic information of the applicant are found to be unique, a PSN will be generated for the applicant. Otherwise, further verification shall be conducted by the PSA. In the event that the applicant cannot be issued a PSN, he or she will be notified accordingly.

Registration in the PhilSys is deemed successful and complete upon confirmation of registration by the PSA and the issuance of the PSN. Once successfully registered, the person shall be issued a PhilID in a manner to be prescribed by the PSA.

SECTION 9. Deactivation of PSN

A. The PSN shall be deactivated on the following grounds:

1. loss of Filipino citizenship;
2. loss of resident alien status;
3. failure to submit to initial biometric capture at age five (5) for persons who were registered at age four (4) and below;
4. failure to submit to biometric capturing at age 15 for persons who were registered at age 14 and below;
5. death of the registered person; and
6. upon the request of the registered person.

B. After due process, the PSA may deactivate the PSN on the following grounds:

1. presentation of false or fictitious supporting document/s during registration or during application for change of entries;
2. misrepresentation in any form during and after registration in the PhilSys; and
3. fraudulent application of the biometric exception.



The PhilID of a person with a deactivated PSN shall be surrendered to the PSA.

A deactivated PSN cannot be assigned to another person. Moreover, a person with a deactivated PSN shall not be given a new PSN.

SECTION 10. Reactivation of PSN

The PSA may reactivate the PSN of the registered person upon submission of satisfactory proof for its reactivation under the guidelines to be set by PSA.

Reactivation of the PSN shall entitle the registered person to reissuance of PhilID.

SECTION 11. Change of Entries

In case of change in or correction of any of the registered demographic data under the PhilSys, the registered person shall update their registration information in the manner as specified below.

Any change or correction of entries in the name, sex, date of birth, place of birth, or marital status shall be effected through the filing of the PhilSys Registration or Correction Form and the submission of the annotated PSA-issued Birth Certificate or Marriage Certificate, as the case may be.

Any person requesting change or correction in his or her name, sex, date of birth, place of birth, or marital status shall be required to submit to biometric authentication.

Change of entry in citizenship shall be effected through the filing of the PhilSys Registration or Correction Form and the submission of the appropriate support documents, subject to biometric authentication.

An authenticated registered person may request for change in the address, mobile number, or email address through the filing of the PhilSys Registration or Correction Form at registration centers or at a web-based portal that may be provided by the PSA. Authentication shall be carried out through the use of one time password and biometrics such as facial image scanning.

In the case of minors and persons incapacitated to give consent, any change in their registered data shall be made with the assistance of their PhilSys-registered parent or guardian in the registration centers. In the absence of the PhilSys-registered parent or guardian, the minor or person incapacitated to give consent shall be assisted by the person exercising substitute parental authority as provided in Article 216 of the Family Code, who must be registered in the PhilSys.

The correction of typographical error/s, updating or recapturing of biometric information in the PhilSys shall be done upon proper authentication under Section 12 and validation in accordance with the procedure of PhilSys Registration.



SECTION 12. Authentication

For purposes of establishing proof of identity for transacting business with any government agency and private entities, the presentation of the PhilID or PSN shall constitute sufficient proof thereof, subject to proper authentication. *Provided*, that when authentication cannot be performed without any fault on the part of the cardholder or holder of a PSN, the PSA shall ensure that he or she will not be disadvantaged or prejudiced thereby.

In case of online authentication, the PSA shall perform authentication of the PSN of an individual submitted by any requesting entity, in relation to his or her biometric information or demographic information. The requesting entity shall conform with the standards and guidelines set by the PSA, in consultation with DICT to ensure the security, efficiency, and integrity of the authentication process.

There will be two modes of authentication: online and offline authentication.

For online authentication, the following information will be used to validate the identity of the registered person:

- a. PSN and biometric information
- b. PSN and demographic information
- c. PSN, biometric and demographic information

The requesting entity shall choose the suitable mode(s) of authentication, which may involve the use of multiple factors such as but not limited to, demographic information, biometric information, one-time password (OTP), and PhilID, for a particular service or transaction as per its requirement. PSA shall provide guidelines on authentication assurance levels based on international standards and best practices.

In exceptional cases to be determined by PSA, where the PSN cannot be provided, the biometric and demographic information may be used to authenticate the registered person's identity.

For offline authentication, the presentation of the PhilID and the matching of the data stored in the QR code will be used to validate the identity of the registered person for transactions and services as mentioned under the PhilSys Act.

The PhilSys may return a Yes/No response or demographic data including photograph, depending on the use case.

Any requesting entity shall obtain the consent of the registered person before collecting his or her identity information for the purposes of authentication. It shall inform the registered person submitting his or her identity information the following details namely: (a) the nature of the information that may be shared upon authentication; and (b) the uses to which the information received during authentication may be put by the requesting entity. *Provided*, that the information requested shall only be used for the purpose for which it was requested.



Where the identity of the registered person is authenticated and established, the entity may request for PhilSys to provide the former's personal data for a legitimate, expressed, and specific purpose. *Provided*, that the registered person was informed of the specific personal information that shall be disclosed and the use of such personal information that shall be limited to the specific purpose prior to such disclosure thereof. *Provided further*, that the individual shall have given his or her prior consent to such disclosure of personal information. *Provided finally*, that said disclosure of personal data is covered by a data sharing agreement between the requesting party and the PSA.

SECTION 13. Uses of PhilID and PSN.

The PhilID and PSN shall be honored and accepted, subject to authentication, in all transactions requiring proof or verification of citizens or resident aliens' identity, such as, but not limited to:

- (a) application for eligibility and access to social welfare and benefits granted by the government;
- (b) application for services and benefits offered by GSIS, SSS, PhilHealth, HDMF, and other government agencies;
- (c) application for passports or travel documents;
- (d) application for driver's license;
- (e) tax-related transactions;
- (f) registration and voting identification purposes;
- (g) admission to any government hospital, health center, or similar institution;
- (h) all other government transactions;
- (i) application for admission in schools, colleges, learning institutions and universities, whether public or private;
- (j) application and transaction for employment purposes;
- (k) application for opening of bank accounts and other transactions with banks and other financial institutions;
- (l) application for clearances with the appropriate government agencies; and
- (m) other transactions requiring proof of identity.

SECTION 14. Limitations

Proof of identity shall not necessarily be construed as proof of eligibility to avail of certain benefits and services which shall be determined based on applicable rules and regulations of the government authorities/agencies concerned. Issuance of the PSN and/or PhilID shall not likewise be construed as incontrovertible proof of citizenship.



RULE III PSA MANDATES

SECTION 15. PSA Mandates.

The PSA is the primary implementing agency to carry out the provisions of the PhilSys Act. Overall planning, management, and administration of the PhilSys shall be the responsibility of the PSA. It shall issue rules in the implementation and enhancement of the PhilSys, including but not limited to registration, authentication, and data governance. It shall ensure the integrity and security of the same in accordance with the PhilSys Act, including all other applicable laws and policies. The PSA shall issue guidelines and undertake measures to ensure secure, reliable, and efficient authentication of PhilSys record upon the request of authorized government and private entities. The PhilSys as mentioned in Rule II of this IRR shall be owned, managed, maintained, and administered by the PSA, with the technical assistance of the Department of Information and Communication Technology. The PSA can adopt new and more effective technology in furtherance of the PhilSys Act. Pursuant thereto, the State shall provide for the installation of state-of-the-art biometric machines in all relevant agencies for authentication of data and identity holders.

The PSA shall collaborate with LGUs, other government agencies, and GOCCs in order to ensure the registration and enrolment of all citizens and resident aliens in the PhilSys including the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) and those located in remote localities.

PSA may also request assistance and security from appropriate agencies during mobile registration of citizens and resident aliens as determined by the PSA.

There shall be established within the PSA and directly under the Office of the National Statistician, a separate office to be headed by a Deputy National Statistician (DNS), which shall perform the functions provided for under the Act.

Under the Office of the DNS, three (3) Services shall be created: the PhilSys Registration Service (PRS), the PhilSys Central Processing Service (PCPS) and the PhilSys Policy, Coordination, and Monitoring Service (PPCMS), each to be headed by an Assistant National Statistician (ANS).

The ANS of the PRS shall be responsible for the following divisions namely: Registration Center Management; Conformance Services; and ID Production and Management.

The ANS of the PCPS shall be responsible for the following divisions namely: Identity Validation; and Operation and Maintenance.

The ANS of the PPCMS shall be responsible for the following divisions namely: Policy and Coordination Division; and Risk Management and Monitoring Division.

The DNS and ANSs shall possess the following minimum qualifications:

- (a) Master's Degree appropriate to the position; and
- (b) Relevant experience in management.



The DNS and ANS shall be appointed by the President of the Philippines upon the recommendation of the National Statistician. The DNS shall have a rank equivalent to and enjoy the benefits and privilege as an Assistant Secretary or Director IV in other national government agencies.

The PSA hereby designates PSA Regional Directors to be the supervising officers and focal persons of their respective regions. A division shall be created within the Regional Statistical Service Office (RSSO) of the PSA to monitor and supervise the registration of applicants and issuance of PSN and PhilID.

RULE IV

PHILSYS POLICY AND COORDINATION COUNCIL (PSPCC)

SECTION 16. Creation of the PSPCC

The PhilSys Policy and Coordination Council (PSPCC) is organized to formulate policies and guidelines to ensure effective coordination and implementation of the PhilSys.

SECTION 17. Composition

The PSPCC shall be composed of the following:

- a. Secretary, National Economic and Development Authority (NEDA) as Chairperson;
- b. National Statistician and Civil Registrar General, Philippine Statistics Authority (PSA) as Co-Chairperson;
- c. Undersecretary, Department of Budget and Management (DBM) as Vice Chairperson;
- d. Undersecretary, Department of Foreign Affairs (DFA) as member;
- e. Undersecretary, Department of Information and Communications Technology (DICT) as member;
- f. Undersecretary, Department of Finance (DOF) as member;
- g. Undersecretary, Department of Social Welfare and Development (DSWD) as member;
- h. Undersecretary, Department of the Interior and Local Government (DILG) as member;
- i. Chairperson, National Privacy Commission (NPC) as member;
- j. Deputy Governor, Bangko Sentral ng Pilipinas (BSP) as member;
- k. President and General Manager, Government Service Insurance System (GSIS) as member;
- l. President and Chief Executive Officer, Philippine Health Insurance Corporation (PhilHealth) as member;
- m. President and Chief Executive Officer, Social Security System (SSS) as member; and
- n. Postmaster General, Philippine Postal Corporation (PHLPost) as member.



SECTION 18. Powers and Functions

In addition to their primary function as defined in Section 16 hereof, the PSPCC shall perform the following powers and functions, including but not limited to:

- (a) ensure the compatibility of the respective technology infrastructure of different government agencies in order to comply with the requirements of the PhilSys;
- (b) facilitate inter-agency cooperation and collaboration in the implementation of the PhilSys;
- (c) consult and enlist the assistance and support of relevant government agencies, the academe, as well as private institutions or persons, as may be necessary in the formulation, review, or amendment of policies and guidelines;
- (d) issue guidelines to comply with international standards set for identity security and data protection; and
- (e) recommend to Congress any measures, amendments, or modifications to the PhilSys Act and other related laws, as may be necessary.

SECTION 19. Meetings

Meetings shall be held regularly on a date, time, and place determined by the PSPCC. The Chairperson or the Co-Chairperson may call a special meeting as the need arises. The PSPCC shall formulate internal rules for its meetings.

SECTION 20. Secretariat

The PSA shall serve as the PSPCC's Secretariat which shall assist and provide administrative support to the PSPCC. It shall perform other functions as may be instructed by the PSPCC or the Head of the Secretariat.

RULE V PROTECTION AND SAFEGUARDS

SECTION 21. Protection Against Unlawful Disclosure of Information/Records

No person may disclose, collect, record, convey, disseminate, publish, or use any information of registered persons with the PhilSys, give access thereto or give copies thereof to third parties or entities, including law enforcement agencies, national security agencies, or units of the Armed Forces of the Philippines (AFP), except in either of the following circumstances:

- a) When the registered person has given prior consent, specific only to the disclosed particular purpose; and
- b) When the compelling interest of public health or safety so requires, and provided that the risk of significant harm to the public is established, the relevant information may be disclosed upon order of a competent court. The

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owner of the information shall be notified by PSA within 72 hours of the fact of such disclosure to the requesting party.

Information disclosed shall not be used except for the specific purpose for which it was authorized and shall not be divulged by any person to any third party other than the person so authorized.

PSA must ensure that information in the PhilSys is used only in accordance with its intended purpose as set forth in the PhilSys Act.

Any information obtained as a result of unlawful disclosure under the PhilSys Act shall be inadmissible in any judicial, quasi-judicial, or administrative proceedings.

Registered persons may request the PSA to provide access to their own registered information and record history subject to the guidelines and regulations to be issued by the PSA.

The records of the details of authentication requests processed by the PSA shall be destroyed after a period of one (1) year from the date of authentication, unless the registered person selects a shorter period.

SECTION 22. Privacy, Security, and Safeguards on the Philippine Identification System (PhilSys)

The PSA, with the technical assistance of the DICT, shall implement reasonable and appropriate organizational, technical, and physical security measures to ensure that the integrity of the PhilSys as well as the information gathered for the PhilSys, including information stored in the PhilSys Registry, is protected from unauthorized access, use, disclosure, and against accidental or intentional loss, destruction, or damage. The PSA may also seek the assistance of other relevant agencies for the same purpose.

The PSA shall designate a separate Data Protection Officer for the PhilSys. The PSA shall ensure that applicants are adequately informed upon registration in the PhilSys on how their data will be used and how they can access their registered information and record history. All applicable rights of the registered person shall be upheld.

To ensure the PhilSys is used appropriately and exclusively for its specified purpose, it shall not process personal information and any data from external systems and databases.

SECTION 23. Aggregate or Statistical Data

While upholding the confidentiality provisions under Republic Act No. 10625, otherwise known as the "Philippine Statistical Act of 2013", all data collated by the PSA under the PhilSys may be used to generate aggregate data or statistical summaries without reference to or identification of any specific individual. *Provided*, that nothing in the Act shall be construed as prohibiting or limiting the sharing or transfer of any personal data that is already authorized or required by law.



RULE VI PENALTIES

SECTION 24. Penal Provision

- 24.1. Any person or entity who, without just and sufficient cause, shall refuse to accept, acknowledge and/or recognize the PhilID or PSN, subject to authentication, as the only official identification of the holder/possessor thereof shall be fined in the Five hundred thousand pesos (P500,000.00).
- 24.2. Any person who utilizes the PhilID or PSN in an unlawful manner or use the same to commit any fraudulent act or for other unlawful purpose/s shall be punished with imprisonment of not less than six (6) months but not more than two (2) years or a fine not less than Fifty thousand pesos (P50,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both, at the discretion of the court.
- 24.3. The penalty of three (3) years to six (6) years imprisonment and a fine of One million pesos (P1,000,000.00) to Three million pesos (P3,000,000.00) shall be imposed upon any offender found guilty of any of the following acts or omissions:
- a. The willful submission of or causing to be submitted a fictitious name or false information in the application, renewal, or updating in the PhilSys by any person, including the Introducer;
 - b. The unauthorized issuance of a PSN or printing, preparation, or issuance of a PhilID by any person;
 - c. Willful falsification, mutilation, alteration, or tampering of the PhilID by any person;
 - d. The use of the PhilID/PSN or unauthorized possession of PhilID, without any reasonable excuse by any person other than the one to whom it was issued or the possession of a fake, falsified, or altered PhilID; or
 - e. The willful transfer of the PhilID or the PSN to any other person.
- 24.4. The penalty of six (6) years to 10 years imprisonment and a fine of Three million pesos (P3,000,000.00) to Five million pesos (P5,000,000.00) shall be imposed upon any offender found guilty of any of the following acts or omissions:
- a) Any person who shall collect or use personal data in violation of Section 12 of the PhilSys Act and the pertinent provisions of this IRR;
 - b) Any person who shall willfully use or disclose data or information in violation of Section 17 of the PhilSys Act and the pertinent provisions of this IRR; or



- c) Any person, not covered by the succeeding paragraphs, who shall access the PhilSys or process data, or information contained therein without any authority.
- 24.5. If financial profit resulted from accessing, disclosing, or using the data or information the guilty person shall, in addition, pay twice the amount gained from such act.
- 24.6. Malicious disclosure of data or information by officials, employees, or agents who have the custody or responsibility of maintaining the PhilSys shall be penalized with 10 years to 15 years imprisonment and a fine of Five million pesos (P5,000,000.00) to Ten million pesos (P10,000,000.00). If financial profit resulted from such disclosure or processing of the data or information, the guilty person shall, in addition, pay twice the amount gained from such act.
- 24.7. Officials, employees, or agents who have custody or responsibility of managing or maintaining the PhilSys shall be penalized with three (3) years to six (6) years imprisonment and a fine of One million pesos (P1,000,000.00) to Three million pesos (P3,000,000.00) if by their own negligence, the PhilSys is accessed by unauthorized persons, or the data or information contained therein is processed without any authority from the PhilSys Act and the pertinent provisions of this IRR or any existing law.
- 24.8. In all instances, if the violation was committed by a government official or employee, the penalty shall include perpetual absolute disqualification from holding any public office or employment in the government, including any GOCCs, and their subsidiaries.
- 24.9. The penalties imposed in this Section shall be in addition to those imposed on acts or omissions punishable by existing penal and other laws.

RULE VII FINAL PROVISIONS

SECTION 25. Transitory Provisions

The PSA shall carry out the implementation of the PhilSys in such manner that the operations of card-issuing government agencies shall not be impeded so as not to unduly delay delivery of public service. *Provided*, that the PSA shall create a transition plan to gradually synchronize and consolidate all existing government-initiated identification systems by seeding the PSN or its derivative into the databases of all agencies into one integrated and interconnected identification system in order to provide the official and sufficient proof of identity of the registered person. The transition plan shall set up the timelines and deliverables and shall be crafted in coordination with the concerned agencies and DICT, based on the guidelines issued by the PSPCC subject to the provisions of the Data Privacy Act of 2012 and other applicable laws and regulations.



SECTION 26. Information Campaign

Within three (3) months from the effectivity of the PhilSys Act, the PSA, together with the DFA and other government agencies concerned, shall conceptualize and undertake an extensive information campaign based on a comprehensive communication plan to all citizens and resident aliens.

SECTION 27. Funding

The amount necessary to implement the provisions of the PhilSys Act shall be included in the General Appropriations Act.

SECTION 28. Separability Clause

If any provision, section, or part of the PhilSys Act and this IRR, shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate, or impair any other provisions, sections, or parts of the PhilSys Act and this IRR.

SECTION 29. Amendment

In the implementation of this IRR, the PSA, in coordination with the PSPCC, may introduce amendments thereto every five (5) years or earlier as the need arises.

SECTION 30. Repealing Clause

All relevant administrative issuances or parts thereof, which are contrary to, or inconsistent with any provisions of this IRR are repealed, amended, or modified accordingly.

SECTION 31. Effectivity Clause

This IRR shall take effect immediately after its publication in the Official Gazette or in a newspaper of general circulation and upon filing with the University of the Philippines Law Center of three (3) certified copies thereof.

Approved and signed this 5th day of October 2018 in Pasig City, Philippines.

Lisa Grace S. Bersales

LISA GRACE S. BERSALES

National Statistician and Civil Registrar General
Philippine Statistics Authority

In consultation with:

The PhilSys Policy and Coordination Council (PSPCC):

Secretary, National Economic and Development Authority (NEDA)

Undersecretary, Department of Budget and Management (DBM)

Undersecretary, Department of Foreign Affairs (DFA)

Undersecretary, Department of Information and Communications Technology (DICT)

Undersecretary, Department of Finance (DOF)

Undersecretary, Department of Social Welfare and Development (DSWD)

Undersecretary, Department of the Interior and Local Government (DILG)

Chairperson, National Privacy Commission (NPC)

Deputy Governor, Bangko Sentral ng Pilipinas (BSP)

President and General Manager, Government Service Insurance System (GSIS)

President and Chief Executive Officer, Philippine Health Insurance Corporation (PhilHealth)

President and Chief Executive Officer, Social Security System (SSS)

Postmaster General, Philippine Postal Corporation (PHLPost)

And the following agencies:

Commission on Elections (COMELEC)

Commission on Human Rights

House Committee on Population and Family Relations

National Security Council

Office of the Solicitor General

UP Law Center